

Staff Report

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION MEETING OF OCTOBER 5, 2005

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: SINGLE FAMILY RESIDENCE (SFR) NO. 05-02 & VARIANCE (VAR) NO. 05-07- A request for a new 2,300 square foot home and variance request for a five foot reduction to the minimum fifteen-foot side-yard setback. The subject parcel is located between 25663 and 25645 Lane Street.

SUMMARY

The applicants are requesting to construct a new single-family home on a vacant lot and a variance to allow a five foot encroachment into the required fifteen foot side-yard setback to the west property line. The applicants have submitted their own findings (see Attachment A).

RECOMMENDATION

Staff recommends that the Planning Commission approve the Single Family Residence (SFR) and Variance (VAR) No. 05-07 based on the attached findings contained in this Staff Report as required per State Law.

PERTINENT DATA

Owner/Applicant: Pete and Aurora Volbeda

Location: Vacant lot on south side of Lane Street, just west of Mount View

Topography: Relatively flat

Acreage: 8,240 square feet (0.19 acres)

Zoning: Single-Family Residence (R-1)

General Plan: Low Density Residential (1-4 dwelling units/acre).

BACKGROUND AND EXISTING SETTING

Background

The subject property was developed in 1946 as part of Tentative Tract Map No. 2906 (Attachment B). On August 16, 2005, an application for the house and variance were submitted to the Community Development Department. The subject site is denoted by an existing wood and chain link fence in the front yard and an existing illegal, non-conforming 168 square foot shed structure towards the rear property line.

While plans indicate this structure to be permitted, it has been confirmed by the applicant that no building permits were ever obtained for its construction. When the applicant recently bought the property, the structure was existing onsite.

With a solid gabled roof, the structure is subject to Zoning Code Section 17.34.100 on accessory buildings. Accessory buildings both attached and detached shall be permitted under the same standards as main buildings. A measurement of the plans indicates this structure is eight feet from the rear property line and five feet from the west property line. Thus, the structure shall be removed or the applicant can look into the feasibility of relocating the structure to conform to setback requirements.

Existing Setting

The project site is located on the south side of Lane Street; approximately 240 feet west of Mountain View in the R-1 zone (see Attachment C-Location Map). The immediate neighborhood is characterized by similar-sized lots with mostly single-family development that took place before City incorporation. In order to develop the parcel with a new home, drainage will flow from the south to the north

ENVIRONMENTAL EVALUATION

Pursuant to Section 15303 (e) of the CEQA Guidelines, the project is eligible for a Class 3 Categorical Exemption, which applies to the construction of up to three (3) single family residences.

PROJECT DESCRIPTION AND EVALUATION

Project Description and Design

The proposed two-story, four bedroom house is approximately 2,300 square feet with a two car garage (Attachment D). The residence is designed to provide a story and a half with two bedrooms on the second level under the pitch of the roof and the other two bedrooms on the first level.

The front elevation is denoted with a front porch and extensive use of rock veneer at the front entrance that continues on the side elevations for added visual interest. The back of the house is designed with a covered patio within the footprint of the house. Windows for the upstairs bedrooms are limited to the side elevations and the two dormers shown at the front which breaks up the massing of the roof. Awnings are proposed for the second story side elevation windows and the east elevation of the first floor. A fireplace is shown on the east elevation along with utility meters for gas and electric.

The site plan shows a narrow lot that is very long and deep. Based on the submitted plans, there is a 60-foot distance from the edge of the rear face of the house to the rear property line. There is a five foot offset for the second level which complies with the Zoning Code requirement that no portion of a second story shall be closer than 10 feet to the property line.

The existing Italian Cypress plants will be incorporated into the landscape design. Landscape plans include a table indicating size and species of plants. If the project is approved, the landscape plans will be conditioned to have a minimum five gallon shrub size and two, twenty-four-inch box trees in the front.

Recommended Modifications:

The following items are staff suggestions for enhancing the proposed design. Through conditions of approval (Attachment E), these modifications can be implemented through the plan check review and construction process.

- Existing structure:

The applicant shall remove the existing rear yard structure or look into the feasibility of relocating it to meet setback requirements. Should the Planning Commission find this acceptable, Condition No. 1.8 has been added to require the modification.

- Rock Veneer:

The use of the rock veneer should be reduced on the front elevation to just below the front window next to the door. The veneer should attach to the east elevation of the garage at the front porch. Should the Planning Commission find this modification acceptable, Condition No. 1.9 has been added to require the modification.

- Additional window:

An additional window should be added to the west elevation at the master bathroom to break up the expanse of exterior stucco. Should the Planning Commission find this acceptable, Condition No. 1.10 has been added to require the modification.

- Front porch

The porch should be revised to a minimum depth of eight feet for functionality and to provide a gathering point at the front of the house. Should the Planning Commission find this acceptable, Condition No.1.11 has been added to require the modification.

- Porch Column widths:

Porch columns should be redesigned to a minimum of 6 or 8 inches in width for added visual aesthetics. Should the Planning Commission find this acceptable, Condition No.1.12 has been added to require the modification.

- Exterior color scheme:

Colors for the exterior canvas canopies- "canvas la cream and radiant orchid" should be re-evaluated in favor of softer colors. Should the Planning Commission find this acceptable, Condition No.1.13 has been added to require the applicant to work with staff to come up with a revised exterior color palate.

Variance

As previously stated, the subject property is zoned (R-1), Single-Family Residence. The variance request is limited to the proposed new home encroaching five feet into the required fifteen foot side yard setback of the property that is required as part of Loma Linda Municipal Code Chapter 17.34.070. The subject parcel is a legal lot of record and thus does not comply with the minimum lot width of sixty-five feet which is required by Loma Linda Municipal Code Chapter 17.34.080. As a result, staff is able to make the necessary findings for the Variance as provided below.

FINDINGS

Variance – All of the following findings must be addressed while considering a Variance in accordance with Loma Linda Municipal Code Section 17.30.060.

1. *That there are exceptional and extraordinary circumstances of conditions applicable to the property involved.*

The property does not comply with the required 65-foot minimum lot width. The lot was created with a 55-foot lot width as part of the Tract Map approved back in the 1940's. The house has been designed with a 10-foot setback on the west elevation and a five foot setback on the east elevation. At 8,200 square feet in size, the property exceeds the minimum lot size of 7,200 square feet. The requirement for a fifteen and five foot side yard setback would limit the applicant to a building pad, thirty-five feet in width. Therefore, the site presents an exceptional and extraordinary circumstance of conditions applicable to the property for the construction of a new single family house.

2. *That such variance is necessary for the preservation and enjoyment of the substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.*

The majority of the houses along Lane Street were built prior to incorporation of the City. With this remnant parcel, the applicant would have to build a long and narrow house that would stand out among the existing houses on Lane Street. A five foot reduction in the 15 foot side yard setback allows for plenty of space for access and ventilation. Therefore, this variance request is necessary for the preservation and enjoyment of the substantial property rights possessed by other properties in the same vicinity.

3. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which property is located.*

A deviation in the setback requirement would not be detrimental to the adjoining property owners and the surrounding neighborhood and would allow construction of a new single family home on a 55 foot wide lot. The tract map and the lot in question were created in 1946. The construction of the new single family residence is appropriate and compatible with the neighborhood. The property to the west at 25645 Lane Street has its driveway on the east property line. Thus, with a ten foot building setback for the west elevation of the new house, there should be a minimum of twenty feet of separation between structures. Therefore, a new home with a five foot reduction in the fifteen foot side yard setback would not be detrimental to the adjacent property owners to the west.

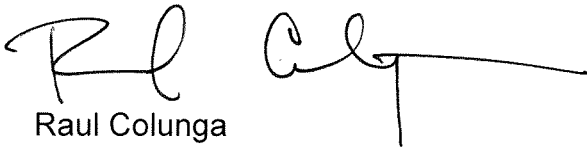
4. *The granting of such variances will be consistent with the general plan for the City.*

The project is consistent with the existing General Plan in that the proposed single family residence is appropriate and compatible with the residential nature of the area. The proposed ten foot side yard setback for the west property line allows a minimum of twenty feet (with the driveway on the adjacent property) to provide adequate separation between the structures for creating continuity within the single-family residential neighborhoods. Therefore, granting such a variance request is consistent with the General Plan for the City of Loma Linda.

CONCLUSION

Based on the report, Community Development Department staff can make the necessary findings as mandated by the State Law to recommend approval of the Single Family Residence and Variance request. The subject parcel is less than the required lot width of 65 feet. From a design and aesthetic standpoint, the new home is appropriate and compatible with the surrounding residential uses and structures. Therefore, it is recommended that the Planning Commission approve the proposed variance request on the basis that all required findings to support the request can be made.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Raul Colunga', with a long horizontal stroke extending to the right.

Raul Colunga
Assistant Planner

Attachments:

- A. Applicant's Variance Findings
- B. Photos of subject site
- C. Vicinity Map
- D. Site plans/floor plans/ elevations
- E. Conditions of Approval

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Attachment A

Applicant's Variance Findings

Findings for variance

Request reduction in required side yard of 15 ft to 10 ft.

1 There are exceptional circumstances that apply to this property which do not generally apply to other properties in the same district. The ordinance requiring a 5 ft and 15 ft side yard was enacted after this tract was recorded because very few lots on this street comply with the requirements for a 15 ft side yard. These lots on Lane are all 55 ft or narrower. To require a 15 ft side yard would reduce the building width of the lot by 20 ft. We do not think the intent of the ordinance was to reduce the building width on the narrower lots. Even the streets north of Lane, State and Mead have lots that are 60 and 80 ft wide respectively. These wider lots can more easily accommodate the 5 and 15 ft side yard setbacks. Other tracts that were created after this ordinance have wider lots to accommodate this requirement.

2 The granting of the variance would not be detrimental to the public welfare or injurious to property in the vicinity because the house directly east of the subject site has 5 ft side yards each side. The subject site, our property, will provide a 5 and 10 ft side yard. The side yards as provided on the lot directly east and other lots on Lane Street that have reduced side yards are not detrimental to the public welfare or injurious to property in the vicinity in their use. To deny the subject lot to have a 5 ft and 10 ft side yard is to deny a property right others have enjoyed in the neighborhood.

3 The strict application of the regulation would result in practical difficulties or hardships in that the residence would be narrower than practical. As designed, we are only able to fit one room next to the 2 car garage. To reduce the width of the house to accommodate the 15 ft side yard would make the remaining Living room width impractical for everyday use.

4 The granting of the variance will be consistent with the General Plan in that this will be a residential use in the keeping with the general plan designation for this area. The use will not be anymore intense than other residences. We have also tried to determine the intent of the 15 ft side yard requirement and in viewing the uses where it has been provided, we have found the following:

- the residences do not use the 15 ft side yard and it is not maintained very well with landscaping because it is not accessible;

- some residences have placed a driveway to a detached rear garage where the driveway usually is filled with parked cars,

- or there are instances where there are parked cars on grass in the 15 ft side yard which give the impression of abandoned cars.

Attachment B

Photos of Subject Site



Attachment C

Vicinity Map



RD

LORD VERDE AVE.

VAN LEUVEN ST

MOUNTAIN

SUBJECT PROPERTY

MEAD W

MEAD

STATE ST.

LANE ST.

VAN LEUVEN ST.

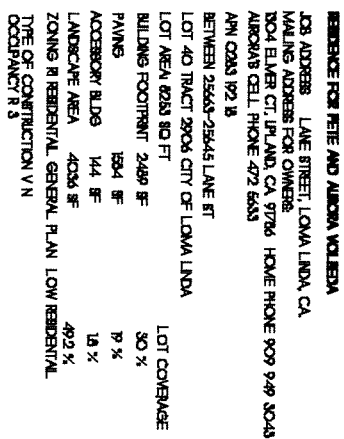
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CURTIS ST.

CURTIS ST.

Attachment D

Project Plans

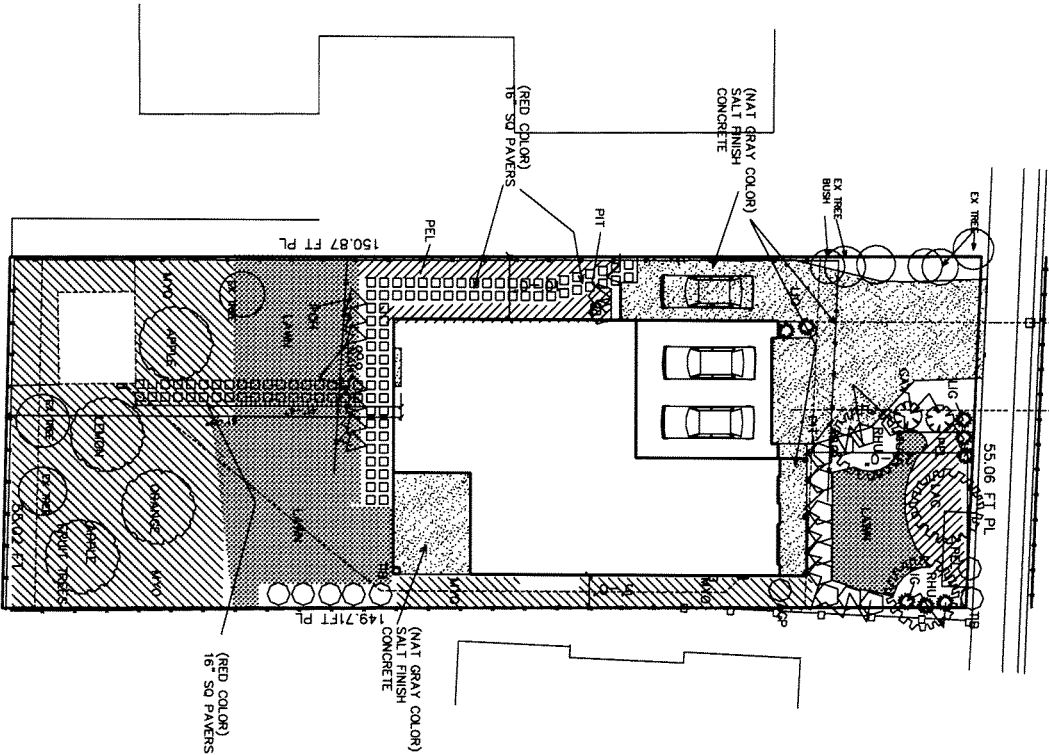


SCALE 1 INCH = 10 FT -- 0 IN

4	DATE	DESIGN	DWG	PETE VOLBEDA Architecture Planning 615 N BERNSON AVE, SUITE C UPLAND CA 91786 TEL. 909 578 1160 FAX 909 578 1161
		DRAWN BY	PLAN CHECK	
		CHECKED	APPROVED	
		OWNER APPROVAL	BY	
		FLAT DATE 7-29-2008	REVISION	
1	RESIDENCE FOR PETE AND AURORA VOLBEDA 2077 LANE ST, LOMA LINDA, CA.	SHEET NO. 1 OF 1 SHEET TOTAL 1 OF 1		

FIRE HYDRANT

MOUNTAIN VIEW



PRELIMINARY PLANT LEGEND

KEY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
TREES				
LAG	Logstroemia indica	Crope Myrtle	15 GALLON	
RHU	Rhus lancea	African Sumac	15 GALLON	
SHRUBS				
BRO	Bougainvillea 'Roseko'	Rosehka Bougainvillea	5 gal	
CAV	Gardenia jasminoides 'Mystery'	Mystery Gardenia	5 gal	
LAG	Logstroemia indica	Crope Myrtle	5 gal	
NAY	Nandina domestica 'Harbour Dwarf'	Dwarf Heavenly Bamboo	1 gal	
OSM	Osmorhiza fragrans	Sweet Olive	5 gal	
PHE	Phoenix roebelenii	Flamingo Date Palm	15 gal	
PIT	Pittosporum tobira	Mock Orange	5 gal	
TIB	Thibaudia unguicula	Princess Flower	5 gal	
PIT	Pittosporum tobira	Mock Orange	5 gal	
SMALL SHRUBS				
AGR	Agave attenuata 'Peter Pan'	Dwarf Lily of the Nile	1 gal	
HEM	Hemerocallis hybrids	Daylily	1 gal	
LR	Liriodendron muscari	Linpop	1 gal	
GROUNDCOVER				
LAG	Logstroemia indica	Crope Myrtle	1 gal	
PEL	Palafoxium petatum	Tall Fescue app.	1 gal	
MVO	Myoporum laetifolium	Myoporum	1 gal	

CONCEPTUAL LANDSCAPE PLAN

PLAN PREPARED BY PETE VOLBEDA, ARCHITECT

QUA Quercus agrifolia

Coast Live Oak

15 gal

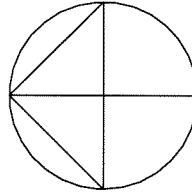
Multitrunk

SCALE: 1" = 10' - 0"

RESIDENCE FOR PETE AND AURORA VOLBEDA
JOB ADDRESS: LANE STREET, LOMA LINDA, CA
MAILING ADDRESS FOR OWNERS:
1304 ELMER CT, UPLAND, CA 91786 HOME PHONE 909 949 3043
AURORA'S CELL PHONE 472 5633
APN 0283 192 18
BETWEEN 25645-25645 LANE ST
LOT 40 TRACT 2906 CITY OF LOMA LINDA

DESIGN	DATE	PETE VOLBEDA Architecture Planning 615 N BENSON AVE, SUITE C UPLAND CA 91786 TEL 909 373 1150 FAX 909 373 882
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REVISION	DATE	

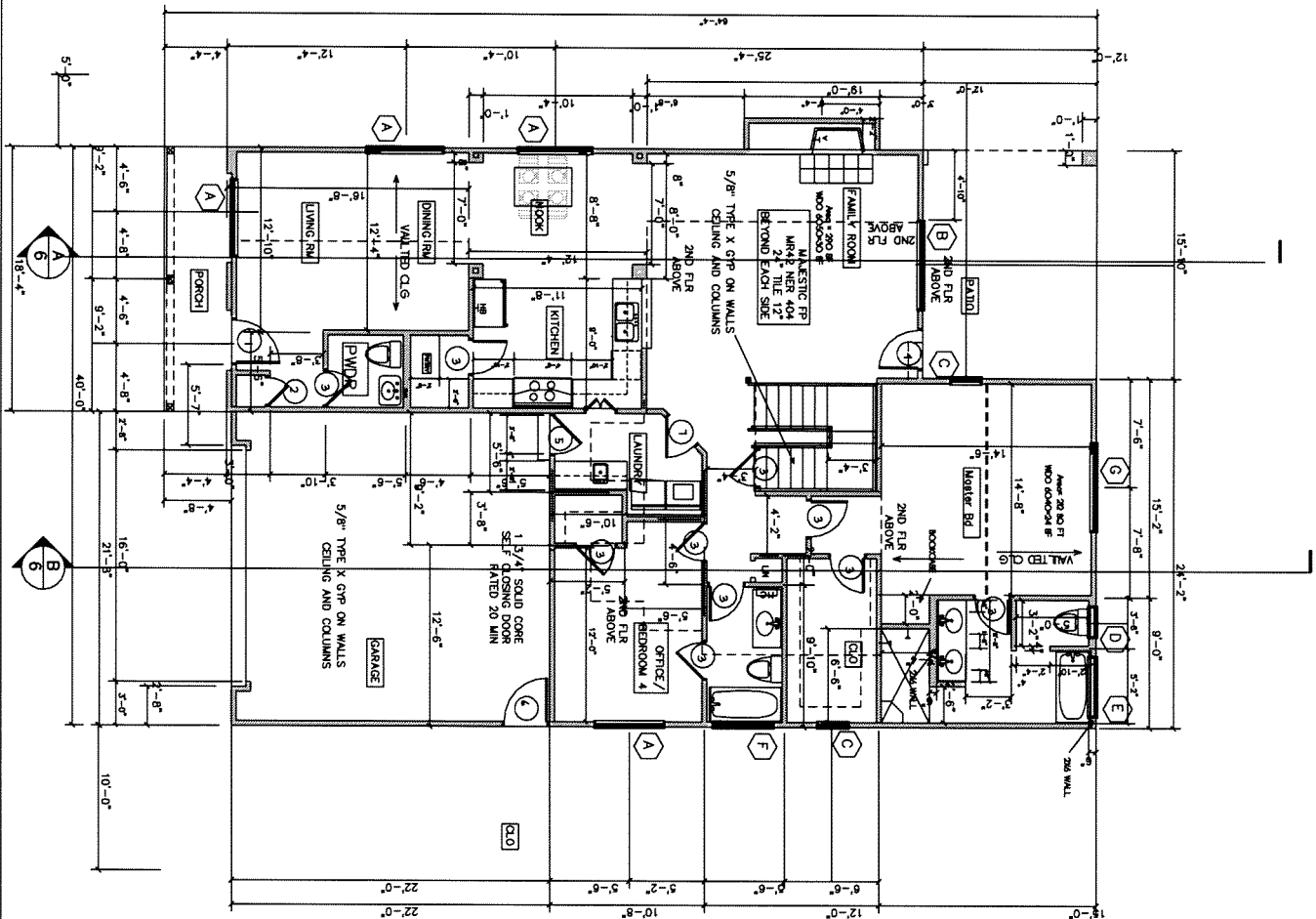
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D	RESIDENCE FOR PETE AND AURORA VOLBEDA 2077 LANE ST, LOMA LINDA, CA.					



1ST FLOOR AREA 1720 SQ FT
2ND FLOOR AREA 478 SQ FT
TOTAL LIVING AREA: 2237 SQ FT
GARAGE AREA 477 SQ FT
FRONT PORCH AND REAR
PATIO AREA: 285 SQ FT

FIRST FLOOR PLAN

SCALE 1/4" = 1 FT - 0 IN.

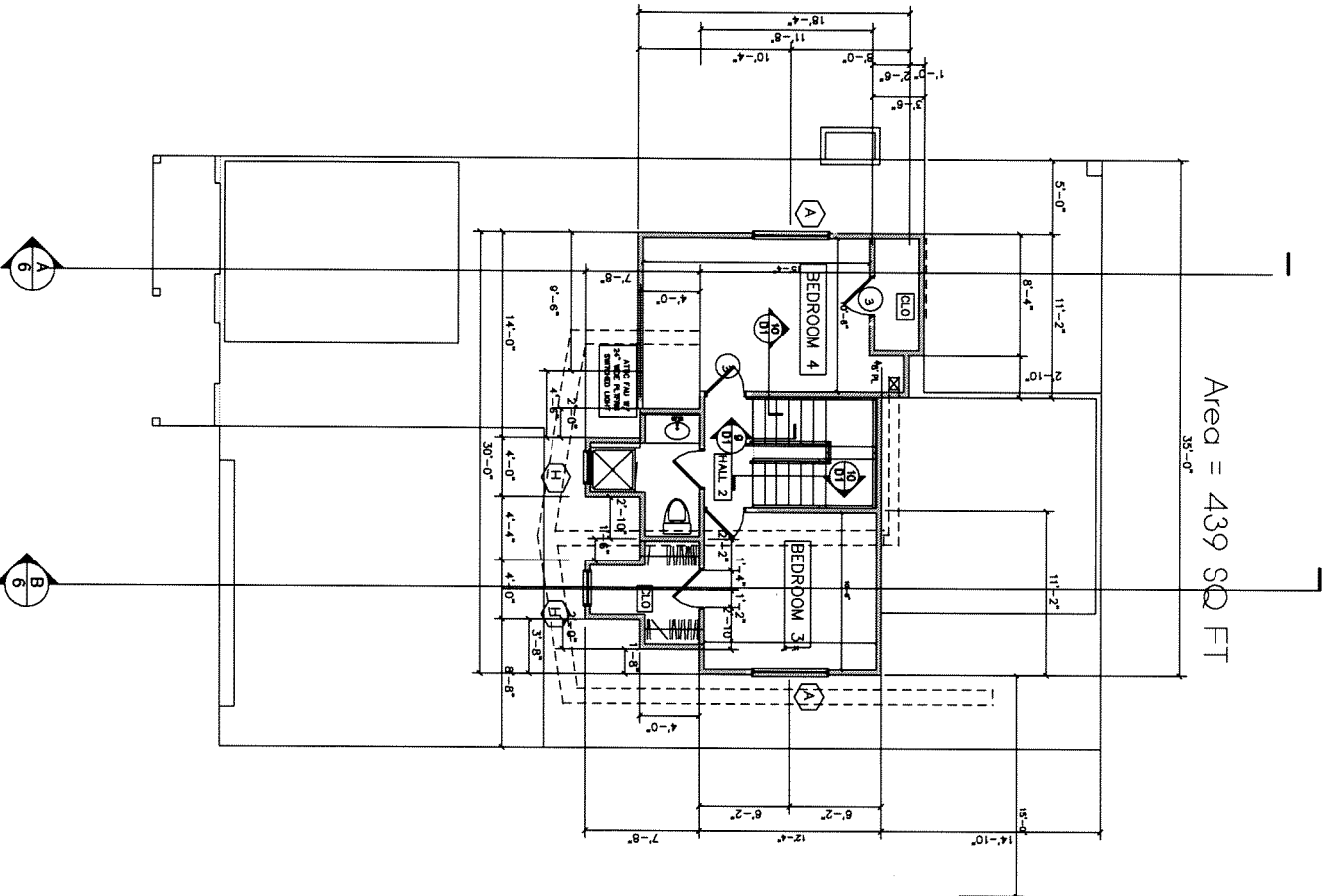
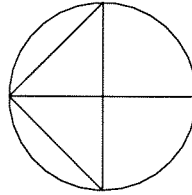


2	FIRST FLOOR PLAN	RESIDENCE FOR PETE AND AURORA VOLBEDA 2077 LANE ST, LOMA LINDA, CA.	DESIGN	DATE		PETE VOLBEDA Architecture Planning 615 N BENSON AVE., SUITE C UPLAND CA 91786 TEL 909 373 1150 FAX 909 373 1152
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			PLOT DATE 7-29-2005	REVISION	DATE	
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PLOT SCALE 1" = 10'						

2ND FLOOR PLAN

LIVING AREA 478 SQ. FT.

SCALE 1/4" = 1 FT.-0 IN.

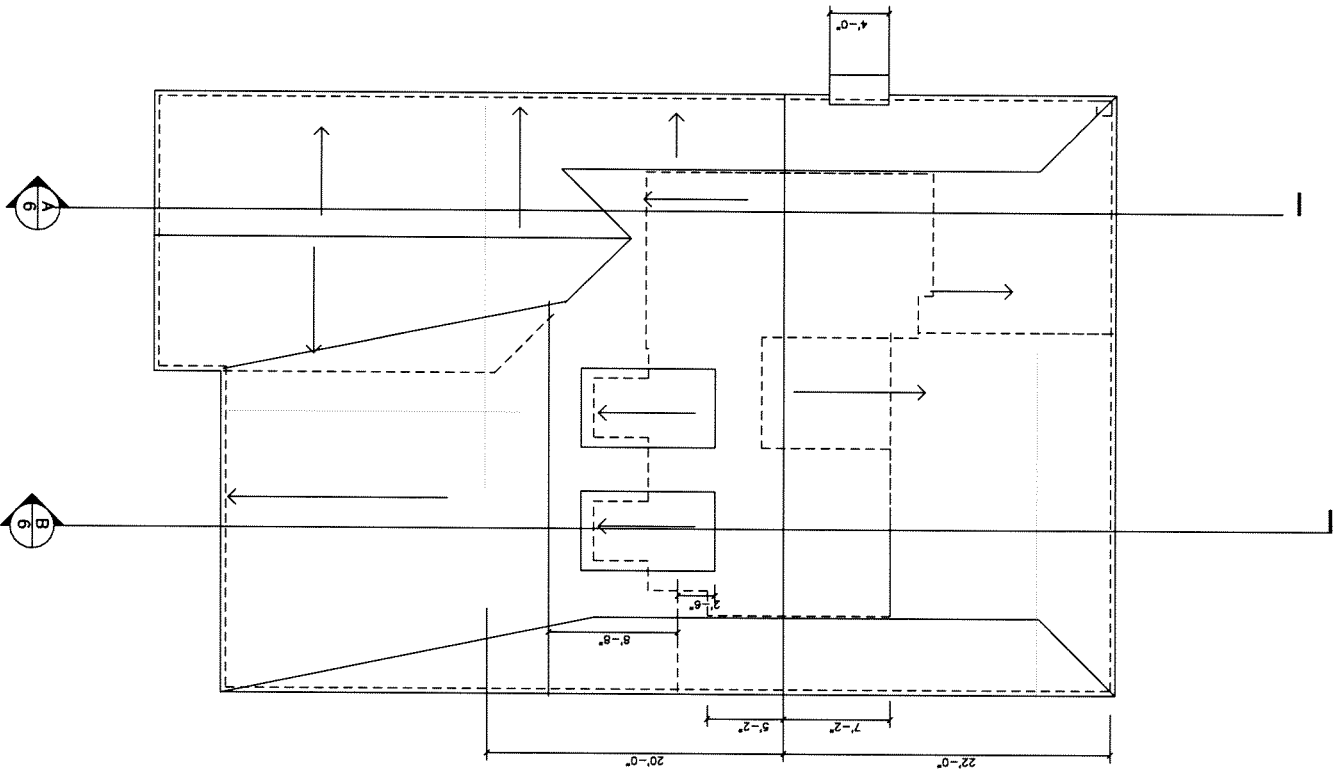
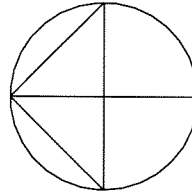


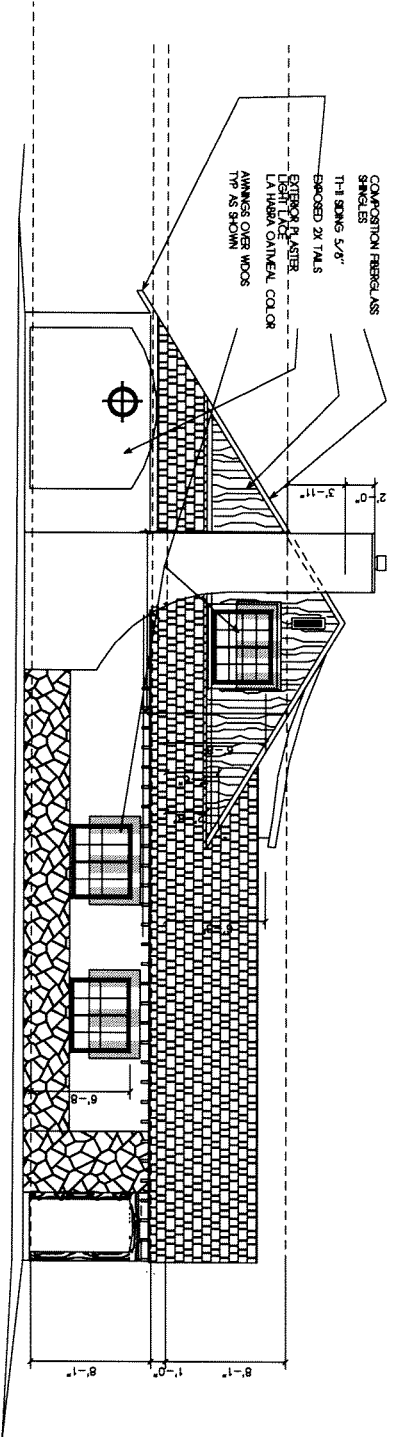
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RESIDENCE FOR PETE AND AURORA VOLBEDA
2077 LANE ST, LOMA LINDA, CA.

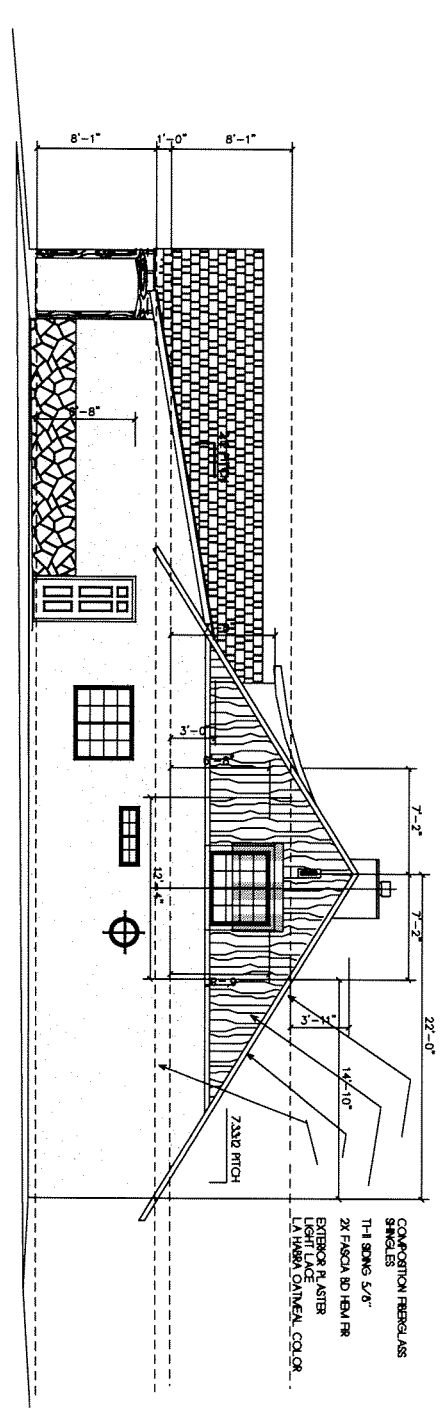
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OWNER APPROVAL	NO RET.
PLOT DATE 7-29-2005	REVISION
PAD NAME: C:\CAD\DRAWING\2077 LOMA LINDA	DATE
PLOT SCALE 1" = 1'	

PETE VOLBEDA Architecture Planning
615 N BENSON AVE., SUITE C UPLAND CA 91786
TEL 909 373 1150 FAX 909 373 1152

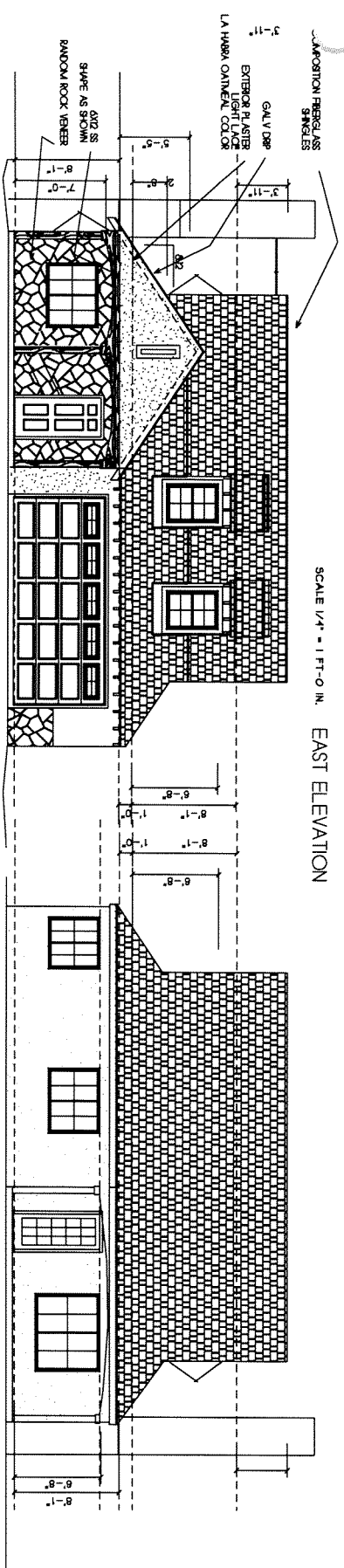




EAST ELEVATION
EXISTING ACCESSORY
BLDG TO BE PERMITTED



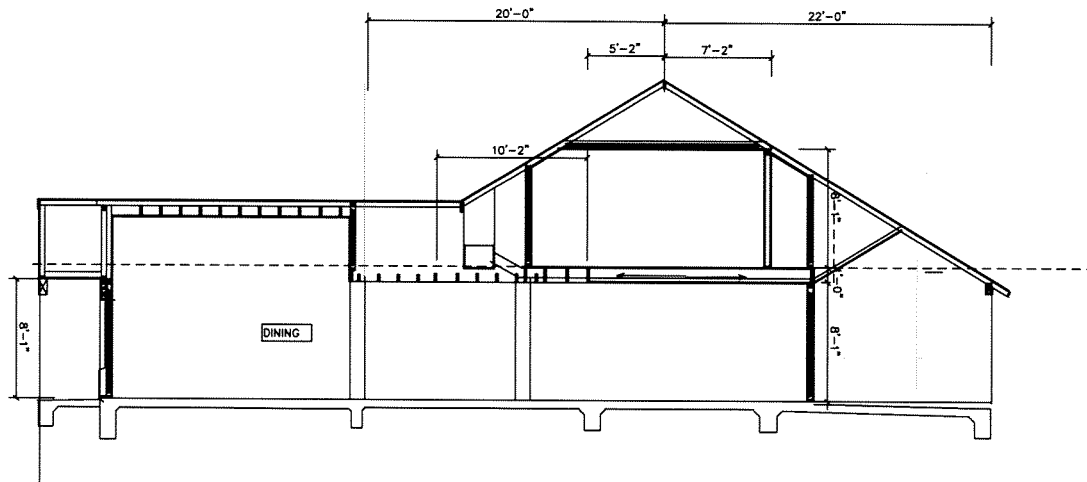
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EXISTING ACCESSORY
BLDG TO BE PERMITTED



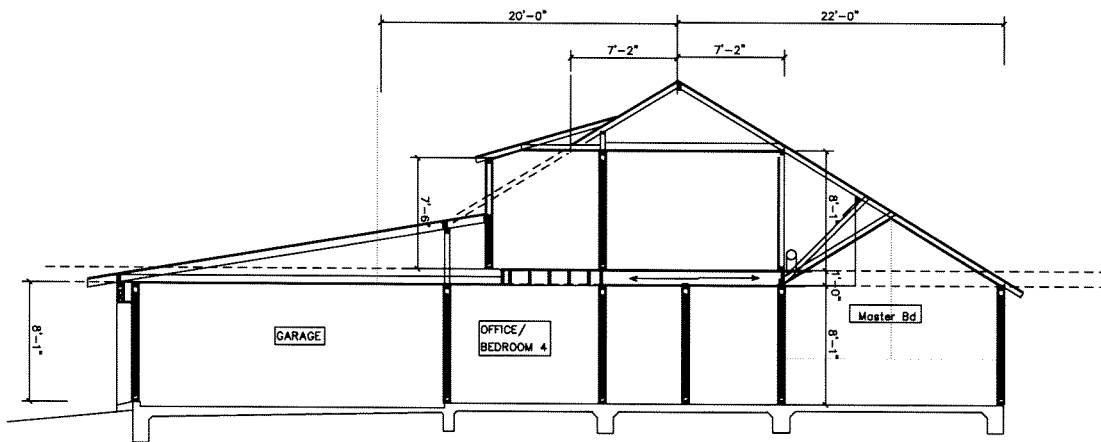
EAST ELEVATION

Area = 38.0764 units squared

Area = 16.2869 units squared



SECTION A A



SECTION B B

Attachment E

Conditions of Approval

CONDITIONS OF APPROVAL
SINGLE FAMILY RESIDENCE NO. 05-02
VARIANCE NO. 05-07
(VOLBEDA)

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. The following specific requirements shall also apply:

1. COMMUNITY DEVELOPMENT DEPARTMENT

- 1.1 Within two years of this approval, the Tentative Tract Map shall be exercised or the permit/approval shall become null and void.

PROJECT:

EXPIRATION DATE:

<i>SINGLE FAMILY RESIDENCE (SFR) NO. 05-02</i>	<i>OCTOBER 5, 2006</i>
<i>VARIANCE (VAR) NO. 05-07</i>	<i>OCTOBER 5, 2006</i>

- 1.2 Within one (1) year of this approval, substantial construction of the project shall have commenced or the permit/approval shall become null and void. In addition, if construction of the project is discontinued for a period of six (6) months, then the permit/approval shall become null and void.
- 1.3 The applicant shall landscape any part of the developed lot that is visible from the street as landscaping is defined in Section 17.02.215 of the Loma Linda Municipal Code (LLMC) and maintain the landscape pursuant to Section 17.34.045 of the LLMC. A minimum five gallon shrub size is required as is two twenty-four inch box size trees.
- 1.4 Approval of SFR No. 05-02 is contingent upon the applicant and the property owners signing and returning an "Agreement to Conditions Imposed" form as established by the Community Development Department.
- 1.5 Construction shall be in substantial conformance with the project plans approved by the City otherwise, the permit/approval shall be null and void and a new application, submittals, and fees shall be required.
- 1.6 In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or

proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees that the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.

- 1.7 The applicant shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development (including custom single-family residences). Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.
- 1.8 The existing rear yard structure shall be removed or relocated to meet the required 15 foot side and rear yard setback in order to be permitted.
- 1.9 The use of the rock veneer at the front elevation shall be reduced to just below the front window next to the door. The veneer shall attach to the east elevation of the garage at the front porch.
- 1.10 The applicant shall work with staff to add a window on the west elevation at the master bathroom to break up blank exterior wall space.
- 1.11 The applicant shall revise the plans to make the front porch with a minimum depth of eight feet.
- 1.12 The porch columns widths shall be a minimum of 6 or 8 inches.
- 1.13 All colors and materials shall be reviewed and approved by staff prior to the issuance of building permits.

2.0 BUILDING AND SAFETY:

- 2.1 Plans shall comply with latest edition of the California Building Codes.

3.0 PUBLIC SAFETY:

- 3.1 All construction shall meet the requirements of the editions of the Uniform Building Code (UBC)/California Building Code (CBC) and the Uniform Fire Code (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 3.2 Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.220, the buildings shall be fully equipped with automatic fire sprinkler systems meeting the requirements of National Fire Protection Association (NFPA) 13D. Attics, garages and concealed spaces shall be included in the designs.

3.3 Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler systems shall be submitted to Fire Prevention for review and approval prior to installation.

3.4 Fire Station and Fire Equipment Development Impact Fees shall be assessed to the project at the rates established for Single-Family Residential development in the City's Resolution "Establishing A Schedule Of Development Impact Fees To Finance Capital Facilities Necessitated By New Development" legally in effect at the time of issuance of building permit. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by City Manager's Executive Order.

4.0 PUBLIC WORKS:

4.1 Grading/drainage plan required.

4.2 Contact Associate Engineer, Jeff Peterson at (909) 799-4407 regarding compliance with City Construction & Demolition Policy and NPDES regulations.

5.0 PUBLIC UTILITIES:

5.1 Backflow device required for fire sprinkler system and pressure boosting station. Contact Public Utilities Supervisor Greg Snyder at (909) 799-4410.

6.0 FEES/PERMITS/BONDING:

6.1 Within forty-eight (48) hours of approval of the subject project, the applicant shall deliver to the Community Development Department, check or money order made payable to the **COUNTY OF SAN BERNARDINO** in the amount of \$25.00 (*twenty-five dollars*) to enable the City to file the appropriate environmental documentation for the project. If within such forty-eight (48) hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.

6.2 Pay appropriate fees for plan check, inspection, and other required fees.

6.3 Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of building permits.

6.4 Submit proof of payment from the City of San Bernardino for sewer capacity fees and Redlands Unified School District to the Community Development Department prior to the issuance of any building permits.